

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85671 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- Excise P.S. District- Siwan

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Dinesh Kumar Son of Late Gopal Mahto @ Gopal Jee Mahto Resident of
Village -Purani Bazar Noniadih PS -Maharajganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Maharajganj Excise PS Case No. 182 of 2024 instituted for the
offences under Sections 30(a) and 32(c) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 105
litres of country made liquor was recovered from Bathan.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that the bathan is away from village and open and is



approachable by outsider. There is no door or lock in the bathan. The petitioner is in custody since 25.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maharajganj Excise PS Case No. 182 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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